

REMARKS

In the Office Action of July 9, 2003, Claims 1 - 16 were rejected. No claim was allowed. In response, Claim 12 is canceled, Claims 1, 4, 5, 7 - 10, 14 and 16 are amended and new Claims 17 and 18 are added to the application. Reexamination and reconsideration are respectfully requested in view of the foregoing amendments and the following remarks.

Rejection of Claims 1 - 16 under 35 U.S.C. §112, second paragraph

Claims 1 - 16 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

In paragraph a, the Examiner alleges that certain terms lack antecedent basis. In response, Claim 7 is amended to provide an initial recitation of a liquid recycled into stage b). Claims 5 and 8 are amended to depend on claims that have only stage a) to c). New Claims 17 and 18 are provided to depend from Claim 4, which provides antecedent basis for a stage d). Claim 10 is amended to provide an initial recitation of heat of the liquid phase. Claim 5 is amended to provide an initial recitation of energy recovered from the expander.

In paragraph b, the Examiner alleges that "gas phase" should be "vaporous phase" if the material is liquid at normal conditions. However, the Examiner has not pointed out any particular place in the claims where this change should be made. For example, Claim 9 related to a step of vaporizing a liquid phase and the resulting vapor is called the vaporized phase.

In paragraph c, the Examiner alleges that inconsistent terminology is used in

the claims in that claim 1 refers to "gas phase" while claims 5 and 8 refer to "gas phases". In response, Claims 5 and 8 are amended to refer to the singular "gas phase".

In paragraph d, the Examiner alleges that Claim 1 recites only up to stage c, whereas Claim 9 jumps to stage f. In response, Claim 9 is amended to delete the letter designation of the further stage added by the claim.

In paragraph e, the Examiner alleges that in Claim 14, "a distillation column" should be "the distillation column". In response, Claim 14 is amended to refer to "the distillation column".

In paragraph f, the Examiner alleges that it is unclear whether the "a gas phase" in Claim 7 is different from "a gas phase" in Claim 1. In response, "a gas phase" is deleted from Claim 7.

In paragraph g, the Examiner alleges that the claims recite passive terms rather than positive, explicit physical process steps. In response, the claims are amended where appropriate to recite active steps.

Accordingly, it is respectfully submitted that all of the rejections of Claims 1 - 16 under 35 U.S.C. §112, second paragraph, are overcome.

Rejection of Claims 1 - 5, 8 - 11 and 16 under 35 U.S.C. §103(a) over Bacon or Tomlinson

Claims 1 - 5, 8 - 11 and 16 were rejected under 35 U.S.C. §103(a) as obvious over Bacon (U.S. Patent No. 4,128,410) or Tomlinson (U.S. Patent No. 4,846,863). The Examiner alleges that Bacon or Tomlinson show a process for treating a gas wherein (a) natural gas is cooled to produce a liquid phase and a gas phase, (b) the

gas phase is contacted in a distillation column with a liquid phase from (c) to produce a gas phase and a liquid phase and the gas phase obtained in (b) is cooled to produce a liquid phase and a gas phase. The Examiner states that Claims 6 - 7 and 12 - 15 would be allowable if rewritten as independent claims.

In response, independent Claim 1 is amended to include all of the limitations of Claim 12, which the Examiner has indicated would be allowable. Claim 12 is canceled. All of the remaining claims depend, directly or indirectly, from the now-allowable Claim 1.

Accordingly, it is respectfully submitted that the rejection of Claims 1 - 5, 8 - 11 and 16 under 35 U.S.C. §103(a) over Bacon and Tomlinson is thereby overcome.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1 - 11 and 13 - 16 are in condition for allowance. Favorable reconsideration is respectfully requested.

Should the Examiner believe that anything further is necessary to place this application in condition for allowance, the Examiner is requested to contact applicants' undersigned attorney at the telephone number listed below.

Kindly charge any additional fees due, or credit overpayment of fees, to
Deposit Account No. 01-2135 (612.40667X00).

Respectfully submitted,
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